



## **NORTH SHORE NEIGHBORHOOD BOARD NO. 27**

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### **MINUTES OF REGULAR MEETING APRIL 25, 2006 JOHN KALILI SURF CENTER**

**CALL TO ORDER:** Chair Pahinui called the meeting to order at 7:00 p.m. A quorum was present.

**MEMBERS PRESENT:** Lloyd O'Sullivan, Kathleen Pahinui, Alfredo Antonio, John Hirota, Oliver Lunasco, James Awai, Dan Gora, Michael Lyons, Carol Phillips, Warren Scoville, Bob Leinau, Blake McElheny, Geraldine Meade, Antya Miller.

**MEMBERS ABSENT:** Jacob Ng.

**GUESTS:** Michelle Kidani and Joan Manke (Neighborhood Commission Office), Lt. Beerman (Honolulu Police Department), Capt. Paul Noyes (HFD-Waialua Station), Ralph Makiau (Oaktree Capital Management), Keith Kurahashi (Kusao and Kurahashi Associates), Mark Howland, Jim and Ipolani Thompson (LPCA), Stew Ring (Mokuleia Community Association), Meryl Andersen, Tom Sanders, Alenka Remec (Mayor's Representative), Robert Bailey, Denise Sanders, Jeannie Martinson, Mark and Jeri Berkowitz, Jack and Amy Lutey, Patti and Jeff Johnson, Jim Blatteau, Sue Cortez, Capt. Paul Noyes (Honolulu Fire Department), Judy Rossman, Linda Bird, Douglas Hornal, Pam Mills-Packo, Jennifer Ueno, Russell Yost (University of Hawaii), Cynthia de Jesus (SBA), Charlene Silva, David Robichaux, Thomas Shirai, Bruce Bellows, Elena Mechen, Choon James, Dali and Jon Pyzel, Drusila Carmez, Virginia G., Venancia A., Mike Takehashi, Sara Ackerman, Toby Morris, Pat Holzman, Sherri and Gerry Schawecker, Dave Pysher, Joni Pennoil, Alan Lennard, Carl Higgins, Matthew Hall (Turtle Bay Golf), William Howes, Mel H., Jeff Dorr, Dave Yester, Folly Murdock, Donna Moore, Anne Brown, Chris Hagan, Mia Moawad, Eric Meyers, Jim Hendrick, Susan and Jerry Mirels, Jeff Cicaffio, Jenny Jacobs, Pat Johnson, Tana Hagen, Mike Latreric, Daniel Ito (Free Surf), Andrew O'Riordan, Vince Cavatito, Taira Barron, Megan Bridgmen, Marjorie Mariano, Mariana Ferriero, Susan McCarthy, Mariah Metzger, Rex Dubiel (Sunset Beach Community Association, NSOS) Jeff Heinold, Gil Riviere, Barbara Chase, Irma Jimenez, Scott Saville, Arlene Kawahakui, Zenna G., Dana Kaiser-Davidson, Zhara Manstedt, Bonnie Corrigan, Tinker Blomfield, L. Warren, Maxi Moto, Sue Cortez (Sunset Beach Community Association), Lance Tom, Cora Sanchez, Ken Newfield, Kupuna Thompson, Ben Schafer, Eric Gill (Local 5), Tim H., Chris Rawlins, Margaret Primacio, Maria Pacheco, Karen Gallagher, Suzie Hawks, Mary Barter, George Cox, Bill House, Virginia Guerrero, Ben Schaefer, Andrea Woods, Marie Richardson (Neighborhood Commission Office staff).

**APPROVAL OF MINUTES FOR THE MARCH 28, 2006 REGULAR MEETING – Awai moved, Meade seconded that the minutes be approved. The motion carried unanimously.**

**TREASURER'S REPORT:** Gora reported the following for the month of March 2006, Operating Account balance is \$760.17, the Publicity Account balance is \$1001.00, and the Refreshment Account balance is \$120.00. **Lunasco moved, Awai seconded to approve the Treasurer's Report subject to audit. The motion carried unanimously.**

### **REPORTS FROM HONOLULU POLICE AND FIRE DEPARTMENTS:**

**HONOLULU POLICE DEPARTMENT –** Lt. Beerman reported the following:

- Statistics for last month included: 8 burglaries, 47 unauthorized entry into motor vehicles, 24 thefts, 13 auto thefts.
- Highlights included: a) one arrest for terroristic threatening, b) two juveniles arrested for riding dirt bikes on cane haul road near Haleiwa Road, c) one traffic fatality on Kaukonahua Road, d) two arrests for unauthorized entry into a motor vehicle at Waimea Beach Park, e) one arrest for unauthorized control of a propelled vehicle and driving without a license, f) three adults arrested for unauthorized



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control of a propelled vehicle and promoting dangerous drugs and included ramming a police officer's vehicle, g) traffic fatality on Kam Highway.

Questions, answers and comments followed:

1. Thanks were extended for attention to problems at Alii Beach, but problems with illegal camping and parking persist.
2. At Akule and Aweoweo streets, illegal parking is making turns difficult.

**HONOLULU FIRE DEPARTMENT** – Capt. Paul Noyes the Sunset Beach and Waialua Station:

- Responded to 1 structure, 1 brush, 7 rubbish, 7 vehicle fires, 14 medical, 8 search and rescue, 12 miscellaneous calls.
- The safety tip for the month is "Cooking fires are the leading cause of home fires and the second major cause of death among older adults. If you are cooking and must leave the kitchen, even for only a few minutes, turn off the stove. Turn off stoves and appliances promptly when finished and unplug small appliances when not in use. Keep a fire extinguisher (with a minimum rating of 2A 10BC) and learn how to use it. Inspect the fire extinguisher regularly to ensure that it has not expired."
- Brochures were made available on brush fires prevention for interested persons to review. Property inspections are available from the Department of Land and Natural Resources and local fire stations. Residents were encouraged to take steps to make their properties safe.

Questions, answers and comments followed:

Work has been done with large agricultural landowners about taking steps on their property to provide firebreaks and access in case of fires in case of emergencies.

Capt. Noyes was thanked for attending the meeting.

**RESIDENTS' CONCERNS:**

Top Soil Runoff At Laniakea Beach - Scoville reported that Bishop Estate investigated Laniakea and Chun's Reef streams and determined that the runoff is not coming from upper graded areas, but from adjacent properties. A written response is to be received.

**PRESENTATION:**

**TURTLE BAY EXPANSION PLANS** – Chair Pahinui reported that Board members were previously sent a packet of information and that the Board was advised by the City's Corporation Counsel that the Board could not take action at this meeting due to pending lawsuits filed by Local 5 against the City, but could at an upcoming special meeting on May 4 at John Kalili Surf Center.

Keith Kurahashi and Ralph Makiaau, representing Oaktree Capital Management were present. Kurahashi provided a brief background on the hotel which was completed in 1972 and ownership changes, golf course, sewage treatment plant and mains, water transmission line developments, and traffic improvement plans to date. Community benefits package being offered includes two-public and two private parks open to the public, public shoreline access route, resort jobs with affordable housing and child care facilities.

The expansion plans include 2500 new hotel and condo units at five sites, 100 affordable housing units, parks at Kawela Bay and Kahuku Point to be developed and then dedicated to the City, public shoreline access improvements, three public parking lots with 20 parking spaces each, traffic improvements along Kamehameha Highway at Kawela Street, Kuilima Drive, and Marconi Road. Work is being done with the State Department of Transportation on the traffic improvements, the Department of Planning and Permitting on landscaping

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improvements. Golf course improvements are also planned. Traffic impacts are anticipated to involve visitors coming to this resort and staying in the area.

Questions, answers and comments followed:

- Toby Morris, Kailua resident, reported Kailua residents are opposed to this project, opposing more development and favoring public recreational areas.
- Judy Rossman, area resident, opposed this project, and supported maintaining the area's current lifestyle.
- Taira Barron, area resident, opposed this project, and supported maintaining the area's current lifestyle.
- Dave Yester, area resident, noted other developer's broken promises, such as parks.
- Margaret Primacio, Kahuku resident, noted the developer's claim of Kahuku Community Association's (KCA) support of this project, but noted that this support was given without a vote by the residents, and the developers not clearly answering residents' questions, noted the developer does not own the site for the affordable housing and is not required to build it until after condominium units are built first. Makiaau provided additional clarification on the KCA's position.
- Karen Gallagher, area resident said there is a requirement to develop affordable housing units equal to 10 percent of the condominium units, not necessarily on site.
- Maria Pacheco, area resident, opposed the development, noting broken promises for development of affordable housing, and destruction of wildlife areas. Makiaau noted the income requirement for the affordable housing is approximately \$50,000 per household, with units costing approximately \$200,000 - \$300,000.
- Tom Sanders, area resident and business owner, opposed the development, and took issue with the hotel management not working with and supporting the local community and businesses.
- David Robichaux, area resident, noted that traffic improvements at three Kamehameha Highway intersections are required, and will be made. Most backups occur where left turns are being made. Signal lights will be installed by Turtle Bay if needed. There are no requirements for improvements to area schools.
- Gil Riviere reported the State Department of Transportation has not reviewed the traffic plan at this time. Regarding the traffic estimates for 2028, he estimates there will be 3,022 cars per hour in this area on a Saturday. When the project was approved traffic estimates were 700 cars per hour, with estimates there would be 1600 cars per hour when completed, currently there are 975 cars per hour. There is no H-1, H-2 access road link in 2028; ORTP has no such project; no relief.
- Sue Cortez, Sunset Beach Community Association, reported suggested a new EIS be performed as the old one is out of date, conditions and standards have changed since the original was performed, and the original unilateral agreement is also out of date. The developer should be required to go through the entire permitting process again to meet current requirements. Kurahashi noted there is a lawsuit relating to the EIS at this time.
- Other concerns were that affordable housing units are not really affordable; increased pollution, as such from pesticides; increased development as such has adversely impacted other areas of the county and should not be allowed to occur in this area.
- Lance Tom a resident of Ainakoa Street, surfer, body boarding and body surfing judge, noted the same consultant who authored this unilateral agreement also authored the unilateral agreement for the Kahala Nui project in the Ainakoa area which has been repeatedly violated by the contractor with no enforcement by the City. He believes this project is a done deal.

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- Suzie Hawks, former Turtle Bay employee, noted the resorts use of large amounts of water such as for laundry, and traffic accidents at the entrance to the resort, increased traffic flow, and loss of water for local agricultural uses.
- Elena Mechen, area resident, expressed concern about development of Phase IV affordable housing in the area. Some funding problems, including federal, have been encountered, but plans are to develop it.
- In response to a question from Board member Lyons, timeshares are not affordable housing.
- No legislators were present at this meeting.
- Board member Lunasco expressed about development of single-family homes by speculators, and whether this type of development should also be opposed.
- Board member Scoville reported all 25 State Senators have signed a resolution to thoroughly investigate this project.
- Board member Philips noted one question that needs to be answered is whose interests are stronger – the residents or the developer. Traffic is already congested and increased development will make it worse. Regarding creation of jobs – the resort has job openings that go unfilled. The area has reached its carrying capacity.
- Board member Leinau insisted that better environmental safeguards are needed.
- Board member Miller requested a timeline for the development. Kurahashi had no specifics such as for individual hotels at this time, but marketplace conditions will be a determining factor, but most development would be done in four years.
- Board member Meade expressed thanks for the community being updated on this project.
- Chair Pahinui questioned the development project, on how Turtle Bay will compete with other resorts, noting past history of not making money, below capacity occupancy rate, etc. Kurahashi noted that per the unilateral agreement, 51 percent of the developed units, including condominium units, will be full service units. He could not say at this time if the time-share units would be counted as full service units.
- In response to Board member McElheny, applications have been made for subdivision and grading permits. An extension on the subdivision application has been made. No specific dates were available on the status of the applications. Follow up will be done on the Board sending a letter to the Department of Planning and Permitting (DPP) regarding tonight's meeting. The Board was advised by the City Corporation Counsel to take no action at this meeting.
- Board member Awai opposed the development and the preparation of an Environmental Impact Statement (EIS), which could permit the development.
- Mary Barter, area resident, opposed the project based on old permits and urged elected officials to support the community.
- Cora Sanchez noted major traffic problems.
- A resident opposed the development and speculation by out of state investors.
- Mark Howland noted there are requirements to update permits to current standards.
- A resident noted there is a 200 foot setback from the beach requirement, with the only structures allowed limited to recreational; within the 200 and 300 foot setback lot coverage is limited to 10 percent of the area.

- George Cox, resident opposed overdevelopment of this area.
- Ken Newfield disagreed with developer's statements that this development will not attract visitors from Waikiki. He also suggested a supplemental EIS, and that the City will not require it, but that the State has to force one to be performed.
- Kupuna Thompson, resident, encouraged everyone to "feel the land" and to respect the land. She noted the resort is on sacred land, and the developer did not respect the land and the resort has not prospered because of it, and new development will not prosper.
- Andrew Riordan, a teacher at Waialua Middle School, praised the meeting to let the community have its say. He opposed the development to preserve the land for future generations and using the system to accomplish this.
- Bill House, area resident, noted Oaktree's past poor treatment of communities in other areas where it has projects, that they are privileged to own this land, and disagreed with their choice of native plants for this project.
- Virginia Guerrero, area resident, thanked Oaktree for providing jobs, and suggested priority for the affordable housing is given to employees of the resort. Kurahashi could not comment on this matter.
- Choon James, area resident, noted other development is planned in the area, including on agricultural land. She also questioned visitors coming to the resort by shuttle and not going anywhere, noting that they will want to see other sites and would need cars to do so, and that traffic congestion is a problem.
- Thomas Shirai noted efforts to document ancient archeological sites, noting this area has areas of high significance, but that there has misinterpretation. Kurahashi noted updates are being done by different archeologists that did previous work.
- Ben Schaefer noted the absence of elected representatives at this meeting and the need for them to serve the public. In response it was noted two members of the Kahuku Community Association work for Turtle Bay.
- Matthew Hall, Director of Golf at Turtle Bay, noted service has not declined, staff has increased and they give back to the community through golf tournaments, youth football and golf.
- Lyons suggested that there are better ways that currently planned to develop affordable housing such as that developed by charitable organizations. It was noted there is a difference between affordable and low-income housing.
- In response to Meryl Andersen's inquiry regarding the extension on the subdivision permit, Makiau indicated the window is up to October 22.
- Board member O'Sullivan said approximately 85 percent of resort employees come from the Koolauloa and North Shore areas, 550 for the hotel side, with the most from Sunset Beach, followed by Kahuku and Waialua; 80 for the golf course side – with 95 percent from the North Shore and Koolauloa area.
- Board member Miller noted lack of infrastructure in this area and its ability to accommodate this development that will bring more people and jobs to this area. Kurahashi reported the Department of Education estimates low impact to area schools. The project includes development of a water well, which along with a main, etc. will be dedicated to the Board of Water Supply, and sewers.
- Boardmember McElheny commented that this project is a whole new town, not just a resort.
- Board member Phillips thanked Turtle Bay for its generosity to the community, supporting various causes.

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- In response to Phillips, it was noted that when the original hotel was built, there was no shoreline access requirement, but there is new access through the original hotel area.
- Board member Leinau talked about the agricultural runoff, which currently runs into Kawela Bay and suggestions were made to reroute drainage to deeper water areas. Kawela Bay will remain in a conservation district, vacuum dredging and cleaning of runoff materials was proposed, but opposed by an adjoining community, and dropped as a requirement. Suggestions to reroute runoff are supported by the developer.
- Makaiau noted that there is an ordinance enforceable by the Department of Planning and Permitting that goes with the land for this project rather than a unilateral agreement that is only binding to the developer.
- Andrea Woods, area resident, urged interested persons to write elected officials to express their concerns.
- In response to Ken, a Turtle Bay employee, affordable housing will be developed off-site. Also, 1984 building plans are those of previous owners and not developed.
- Eric Gill, Local 5, noted employees at this resort are the lowest paid in the state, have lower medical and pension benefits, fewer holidays, less sick leave, less accumulation of sick leave, etc. than employees at hotels. He also noted that occupancy are up due to marketing efforts. He questioned what type of jobs will be available.
- Tim H., praised opposition efforts, suggested a new EIS be prepared, noted absence of elected officials, noted this project should not be rushed through – traffic studies need to be done, noted in other resort areas workers come from foreign countries, while this resort employs local residents.
- The City Corporation Counsel advised the Board not to vote on this matter at tonight's meeting, as the agenda was not specific enough as to exactly what action the Board planned to take. Board action will be taken at a special meeting on May 4. It was noted that there is litigation involving the City on this matter. A vote on this matter cannot be added to the agenda for this meeting. Manke provided additional comments on the Board being advised not to vote on this matter at this meeting.
- Judy Rossman, requested, but informational materials from Kurahashi, as promised at an earlier community meeting, was not available for review by interested persons. Reconsideration of the landscaping plan was suggested.
- Chris Rawlins, area resident, noted the North Shore's history as a surfing destination, and the businesses that benefit from the surfing.
- Lunasco thanked everyone for attending the meeting, took issue with statements that surfing made this area, and noted that there are many issues facing this community that have to be addressed.
- Additional comments followed on traffic congestion, noting "too much" has been reached.
- School funding is via the legislature, it is too late for budget requests at this time as the session ends in a few days.
- Philips noted the City Council has a gag order on them not to comment on this matter while the Department of Planning and Permitting does not, and noted credit for pioneering surfing in this area goes to the Native Hawaiians.

**McElheny moved, Miller seconded to add to the agenda, that the Board send a letter to the Neighborhood Commission and the City Corporation Counsel. The motion carried, 13-1.**

**McElheny moved, Leinau seconded that the Board send a letter to the Neighborhood Commission and the City Corporation expressing our dissatisfaction on being told on what our recommendations need to look like when our role is to provide guidance to City Council and the City and County of Honolulu.** Discussion followed. **The motion carried, 12-0-2. Abstained:** Lunasco and Alfredo.

The unilateral agreement and environmental assessment are available at: [www.defendoahucoalition.org](http://www.defendoahucoalition.org).

Antonio noted supporters of the project were not present at this time.

Chair Pahinui opposed allowing this project based on old permits.

**ADJOURNMENT:** The meeting was adjourned at 10:00 p.m.

Submitted by,

Neighborhood Assistants, Dean Chu and Marie Richardson